



Missouri Department of Elementary and Secondary Education

— Making a positive difference through education and service —

June 12, 2007

Krista M. Zurkamer
Board and Commissions Coordinator
Department of Economic Development
Harry S. Truman Building, Suite 720
301 W. High Street
Jefferson City, MO 65101

Dear Ms. Zurkamer:

This letter addresses the application of Mo. Rev. Stat. § 536.325 to administrative rules adopted by the Department of Elementary and Secondary Education. Responsibility for liaison with the Small Business Regulatory Fairness Board (SBRFB) was recently assigned to this office. It has been my task to review current department rules and evaluate their impact on small business.

The primary responsibility of the State Board of Education and the Missouri Department of Elementary and Secondary Education is the supervision of the public schools of Missouri. As political subdivisions of the state, school districts fall outside of the definition of "small business" found at Mo. Rev. Stat. § 536-010 (7), which is defined as "a for profit enterprise consisting of fewer than 100 full or part-time employees." The exception to this focus on the Missouri public schools is the Division of Vocational Rehabilitation which provides vocational and rehabilitative services to adults with disabilities. Based upon the review by this office, no current rules authorized by the State Board of Education affect small business pursuant Mo. Rev. Stat. § 536.325. I enclose a breakdown by division and title of all administrative rules currently maintained by the department. The full text of these rules along with any incorporated by reference material can be accessed through the department's web site at www.dese.mo.gov.

As to future administrative rules, please find the enclosed copy of the routing sheet utilized by the Department in drafting proposed rules. Each division is required to assess and certify as to the small business impact of any administrative rules adopted by the State Board of Education. In addition, issues relating to SBRFB compliance will be addressed in training for Department staff responsible for the development of proposed rules. Finally, this office has the responsibility of preparing the certification that addresses small business regulatory impact that is submitted to the Office of the Secretary of State. I enclose a copy of a recent submission to Secretary Carnahan.

I look forward to working with your office in my capacity as liaison. If you have any questions regarding this communication, please contact this office at (573) 751-3527.

Sincerely,

Mark Allan Van Zandt
General Counsel

Enclosure

C: Adam Crumbliss, Chief Clerk, House of Representatives
Terry Spieler, Secretary of Senate

DESE Administrative Rules

Arranged by Rule Number

Please check back periodically as we update the links.

Division 10 - Commissioner of Education

- [5 CSR 10-1.010](#) Organization of the Missouri Department of Education

Division 30 - Division of Administrative and Financial Services

- [5 CSR 30-4.030](#) Audit Policy and Requirements
- [5 CSR 30-260.010](#) Adoption or Changing of School District Names
- [5 CSR 30-261.010](#) Requirements for the Operation of School Buses
- [5 CSR 30-261.025](#) Minimum Requirements for School Bus Chassis and Body
- [5 CSR 30-261.040](#) Allowable Costs for State Transportation Aid
- [5 CSR 30-261.045](#) Pupil Transportation in Vehicles Other Than School Buses
- [5 CSR 30-261.050](#) Pupil Transportation Hardships
- [5 CSR 30-345.011](#) Measurement of Effectiveness of Remediation of Students Scoring at the Lowest Level on the Missouri Assessment Program
- [5 CSR 30-345.030](#) Metropolitan School District Retired Teacher Program
- [5 CSR 30-660.070](#) Video Programming in Schools
- [5 CSR 30-680.010](#) National School Lunch Program
- [5 CSR 30-680.020](#) Special Milk Program for Children
- [5 CSR 30-680.030](#) School Breakfast Program
- [5 CSR 30-680.035](#) Food Service Equipment Assistance Program
- [5 CSR 30-680.040](#) Cash in Lieu of Commodities

- [5 CSR 30-680.050](#) Determining Eligibility for Free and Reduced Price Meals and Milk in Schools
- [5 CSR 30-680.060](#) Food Distribution
- [5 CSR 30-680.070](#) Summer Food Service Program--Request for Waiver

Division 50 - Division of School Improvement

- [5 CSR 50-200.010](#) Programs for Gifted Children
- [5 CSR 50-200.050](#) Advanced Placement, Dual Credit Course, and International Baccalaureate Fee Payment Program
- [5 CSR 50-270.010](#) General Provisions Governing Programs Authorized Under the Early Childhood Development Act
- [5 CSR 50-280.010](#) Student Assessment
- [5 CSR 50-300.010](#) Determining Schools Having High Concentrations of Low-Income Children for Purposes of National Defense Education, National Direct and Federal Perkins Student Loan Cancellation
- [5 CSR 50-320.010](#) State Reimbursed Remedial Reading
- [5 CSR 50-321.010](#) General Provisions Governing the Consolidated Grants Under the Improving America's Schools Act
- [5 CSR 50-321.020](#) General Provisions Governing the Consolidated Grants for the Federal and State Discretionary Programs
- [5 CSR 50-340.018](#) Military Service Credit
- [5 CSR 50-340.019](#) Military Science Credit
- [5 CSR 50-340.020](#) Instruction for Prekindergarten
- [5 CSR 50-340.021](#) Applied Music Credit
- [5 CSR 50-340.022](#) State Reading Circle Program
- [5 CSR 50-340.030](#) Standards for Missouri School Library Media Centers
- [5 CSR 50-340.050](#) Policies and Standards for Summer School Programs

- [5 CSR 50-340.060](#) Policies and Standards for Part-Time Public School Students
- [5 CSR 50-340.070](#) Standards for Part-Time Schools
- [5 CSR 50-340.090](#) Standards for Innovative and Experimental Programs
- [5 CSR 50-340.100](#) Approval of Utilizing Courses Delivered Primarily Through Electronic Media
- [5 CSR 50-340.150](#) Priority Schools
- [5 CSR 50-340.200](#) Annual Public Reporting of Information by School Districts
- [5 CSR 50-345.100](#) Missouri School Improvement Program
- [5 CSR 50-345.200](#) Waivers of Regulations
- [5 CSR 50-345.300](#) Graduation Requirements for Students in Public High Schools
- [5 CSR 50-350.010](#) General Provisions--V.I.D.E.O.
- [5 CSR 50-350.020](#) Safe Schools Educational Program Grants
- [5 CSR 50-350.030](#) Safe Schools Curriculum
- [5 CSR 50-350.040](#) A+ Schools Program (*Previously filed as 5 CSR 60-120.060*)
- [5 CSR 50-355.100](#) Persistently Dangerous Schools
- [5 CSR 50-375.100](#) Academic Standards
- [5 CSR 50-378.100](#) Read to be Ready Grant Program
- [5 CSR 50-380.010](#) General Provisions
- [5 CSR 50-380.020](#) Internet Filtering
- [5 CSR 50-390.010](#) Reductions of Pupil/Teacher Ratio for Children at Risk
- [5 CSR 50-865.400](#) Flag Etiquette

Division 60 - Division of Career Education

- [5 CSR 60-90.010](#) Standards and Operational Requirements

- [5 CSR 60-95.010](#) Allowable Activities and Participating Student Eligibility
- [5 CSR 60-95.020](#) Administration, Eligible Contributors, and Tax Credits
- [5 CSR 60-95.030](#) Standards for Submission and Review of Proposals
- [5 CSR 60-95.040](#) Reporting Requirements
- [5 CSR 60-100.010](#) Missouri State Plan for Adult Education
- [5 CSR 60-100.020](#) Administration of High School Equivalence Program
- [5 CSR 60-100.050](#) Family Literacy Program
- [5 CSR 60-110.010](#) Missouri Textbook Filing
- [5 CSR 60-120.010](#) State Plan for Vocational Education
- [5 CSR 60-120.020](#) Implementation of Vocational Educational Programs
- [5 CSR 60-120.050](#) Area Vocational School Service Regions
- 5 CSR 60-120.060 A+ Schools Program (*Moved to [5 CSR 50-350.040](#)*)
- [5 CSR 60-120.070](#) Vocational-Technical Education Enhancement Grant Award Program
- [5 CSR 60-120.080](#) Student Suicide Prevention Programs
- [5 CSR 60-480.100](#) Standards for the Determination of Eligible Training Providers and Administration of Reimbursement for the Education of Persons Under the Workforce Investment Act of 1998 and Other Employment Training Funding Sources Contracting With the State Board of Education
- [5 CSR 60-900.030](#) Standards for Approval and Continued Approval of On-the-Job Training for the Training of Veterans
- [5 CSR 60-900.040](#) Standards for the Approval of Apprentice Courses for the Training of Veterans Under the Provisions of PL 90-77
- [5 CSR 60-900.050](#) Standards for the Approval of Courses for the Education of Persons Under Veterans' Education and Vocational Rehabilitation

Division 70 - Division of Special Education

- [5 CSR 70-742.140](#) Individuals with Disabilities Education Act, Public Law 94-142 Part B
- [5 CSR 70-742.141](#) Individuals with Disabilities Education Act, Public Law 105-17, Part C
- [5 CSR 70-742.165](#) State Agency Payments to School Districts for Educational Services
- [5 CSR 70-742.170](#) Extraordinary Cost Fund
- [5 CSR 70-760.070](#) Administrative Policies of the State Schools for Severely Handicapped Regarding Approved Private Agencies
- [5 CSR 70-770.010](#) Establishment of Sheltered Workshops
- [5 CSR 70-770.020](#) Operation of Extended Employment Sheltered Workshops
- [5 CSR 70-770.030](#) Renewal or Revocation of a Certificate of Authority
- [5 CSR 70-770.040](#) Approval of Eligible Employees
- [5 CSR 70-770.050](#) Disbursement of Funds

Division 80 - Division of Teacher Quality and Urban Education

- [5 CSR 80-631.010](#) Administrative Assessment Center
- [5 CSR 80-670.100](#) Missouri Classroom Teacher Job-Sharing Provision
- 5 CSR 80-800.015 Procedures and Standards for Approval of Professional Education Programs in Missouri (*Moved to [5 CSR 80-805.015](#)*)
- [5 CSR 80-800.020](#) Administrative Appeal Procedure for Applicants Denied Certification
- 5 CSR 80-800.050 Basic Education Competencies Required Prior to Admission to Approved Teacher Education Programs in Missouri (*Moved to [5 CSR 80-805.020](#)*)
- [5 CSR 80-800.060](#) Administrative Procedures for Recertifying Teachers Whose Certificates Have Been Revoked by the State Board of Education

- [5 CSR 80-800.070](#) Administrative Procedures for Applicants Whose Certificates Have Been Revoked by a Certifying Authority Other Than the State Board of Education
- [5 CSR 80-800.200](#) Application for Certificate of License to Teach
- [5 CSR 80-800.220](#) Application for Certificate of License to Teach for Administrators
- [5 CSR 80-800.230](#) Application for Student Services Certificate of License to Teach
- [5 CSR 80-800.260](#) Temporary Authorization Certificate of License to Teach
- [5 CSR 80-800.270](#) Application for a Career Education Certificate of License to Teach
- [5 CSR 80-800.280](#) Application for an Adult Education and Literacy Certificate of License to Teach
- [5 CSR 80-800.290](#) Application for Substitute Certificate of License to Teach
- [5 CSR 80-800.300](#) Discipline and Denial of Certificates of License to Teach
- [5 CSR 80-800.310](#) Deletion of Certificates of License to Teach
- [5 CSR 80-800.350](#) Certificate of License to Teach Content Areas
- [5 CSR 80-800.360](#) Certificate of License to Teach Classifications
- [5 CSR 80-800.370](#) Fees
- [5 CSR 80-800.380](#) Required Assessments for Professional Education Certification in Missouri
- [5 CSR 80-800.400](#) Procedures for Potential Candidates for MO Certificate of License to Teach with a Criminal History to Petition the State Board of Education for Background Clearance
- [5 CSR 80-805.015](#) Procedures and Standards for Approval of Professional Education Programs in Missouri
- [5 CSR 80-805.020](#) Basic Education Competencies Required Prior to Admission to Approved Teacher Education Programs in Missouri
- [5 CSR 80-805.030](#) Innovative and Alternative Professional Education Programs

- [5 CSR 80-805.040](#) Clinical Experience Requirements for Candidates in Professional Education Programs
- [5 CSR 80-850.010](#) Administrative Procedures for the Teacher Education Scholarship Program
- [5 CSR 80-850.015](#) Administrative Procedures for the Minority Teaching Scholarship Program
- [5 CSR 80-850.025](#) Missouri Critical Teacher Shortage Forgivable Loan Program
- [5 CSR 80-850.030](#) Missouri Career Development and Teacher Excellence Plan
- [5 CSR 80-850.045](#) Mentoring Program Standards
- [5 CSR 80-850.050](#) State Level Professional Development Funds for Statewide Areas of Critical Need for Learning and Development
- [5 CSR 80-850.060](#) School Board Member Orientation and Training
- [5 CSR 80-860.010](#) Robert C. Byrd Honors Scholarship Program
- [5 CSR 80-870.010](#) Success Leads to Success Program

Division 90 - Division of Vocational Rehabilitation

- [5 CSR 90-2.011](#) Standards for Vocational Rehabilitation
- [5 CSR 90-4.100](#) Definitions
- [5 CSR 90-4.110](#) Confidentiality and Release of Information
- [5 CSR 90-4.120](#) Minimum Standards for Service Providers
- [5 CSR 90-4.200](#) Eligibility
- [5 CSR 90-4.300](#) Order of Selection for Services
- [5 CSR 90-4.400](#) Appeals
- [5 CSR 90-4.410](#) Informal Review
- [5 CSR 90-4.420](#) Due Process Hearing

- [5 CSR 90-4.430](#) Mediation
- [5 CSR 90-5.400](#) Services
- [5 CSR 90-5.410](#) Fees
- [5 CSR 90-5.420](#) Maintenance and Transportation
- [5 CSR 90-5.430](#) Physical and Mental Restoration
- [5 CSR 90-5.440](#) Training
- [5 CSR 90-5.450](#) Home Modification and/or Remodeling
- [5 CSR 90-5.460](#) Vehicle Modification
- [5 CSR 90-5.470](#) Self-Employment
- [5 CSR 90-8.010](#) Centers for Independent Living
- [5 CSR 90-50.010](#) Pertinent Regulations Relating to the Disability Determinations Program

April 4, 2007

The Honorable Robin Carnahan
Secretary of State
Administrative Rules Division
600 West Main, Room 337
Jefferson City, Missouri 65102

RE: 5 CSR 80-800.200 Application for Certificate of License to Teach

Dear Secretary Carnahan:

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the proposed amendment lawfully submitted by the State Board of Education on this 4th day of April, 2007.

The State Board of Education has determined and hereby certifies that this proposed amendment will not have an economic impact on small businesses. The State Board of Education also certifies that it has conducted an analysis of whether or not there has been a taking of real property pursuant to section 536.017, RSMo, and that this proposed amendment does not constitute a taking of real property under relevant state and federal law.

Statutory Authority: sections 161.092, 168.021, 168.071, 168.081 & 168.400, RSMo Supp. 2006 & 168.011, 168.405 & 168.409, RSMo 2000

If there are any questions regarding the content of this proposed amendment, please contact this office at: School Laws, Department of Elementary and Secondary Education, P.O. Box 480, Jefferson City, MO 65102; (573) 751-3527.

Sincerely,

Mark Allan Van Zandt
General Counsel

Enclosure